

REMARKS

Claims 1, 41, and 81 have been amended. After entry of the present amendments, claims 1-9, 11-34, 36, 41-48, 50-64, 75-81 remain in this application.

Claim Rejections - § 103

The Office Action rejected claims 1-9, 11-34, 36, 41-48, 50-64, 75-81 as obvious over U.S. Patent No. 5,429,361 (“Raven”) in view of U.S. Patent No. 5,923,252 (“Sizer”). Claims 1 and 41 relate to a gaming machine including a first wireless transceiver. Data is acquired by a portable data unit with a second wireless transceiver from a data unit provider. The portable data unit is positioned in proximity to the gaming machine, without inserting the portable data unit into any portion of the gaming machine. A wireless transmission link is established between the first and second wireless transceivers and information is transmitted between the portable data unit and the gaming machine via the wireless transmission link. The transmitted information is encrypted via an algorithm combining a key with the transmitted information to create ciphertext to ensure secure and safe transmission.

The Office Action concedes that Raven does not disclose a wireless link, but cites Sizer as disclosing a portable data unit establishing wireless transmission. The Office Action has cited Raven as anticipating the encryption element in claims 1 and 41 because Raven converts data into binary, decimal, hexadecimal or ASCII code. However, Raven actually discloses encoding which is the substitution or replacement of characters (binary, decimal, etc.) for the original data. It is a common technical understanding that encryption is more complex than encoding and involves an algorithm which combines a key with the information to create ciphertext. (see attached PCMag.com definition).

In response to previous arguments, the Office Action indicates that “in the broadest interpretation ... conversion of data into binary, decimal, hexadecimal, and an ASCII format is considered to be encryption.” (p. 13). The Office Action cites the Encarta Dictionary as defining the term “encrypt” to mean to convert text into code. (p. 13) However, this is only one of several definitions of the term “encrypt.” Another definition provided by the Encarta Dictionary for the term “encrypt” is “to convert a text into code **or cipher**.” As noted above the conversion of text into a cipher is a more involved process than simple substitution of characters. Ciphred text

involves using a key and an algorithm to combine the text and the key into ciphertext. Encoding data into well-known formats of binary, decimal, hexadecimal, or ASCII would not be considered to be encryption by one of ordinary skill in the art. Therefore, the conversion among these formats in Raven does not correspond to encrypting information into ciphered information which combines the underlying data with the encryption key as opposed to simply substituting characters for each other.

Accordingly, Applicant has amended claims 1 and 41 to include the element of “encrypting the transmitted information via an algorithm combining a key with the transmitted information to create ciphertext.” As explained above, these elements are the commonly understood definition of encryption and differentiate encryption from the encoding process in Raven. The Office Action has conceded that such encoding is simply the replacement of text with code. For at least the reason that neither Raven nor Sizer discloses encrypting the transmitted information via an algorithm to create ciphertext, amended claims 1 and 41 and their dependent claims are believed to be patentable. Applicant has also amended dependent claim 81 to include the same element and submits that amended claim 81 is separately allowable.

Regarding claims 27 and 80, these claims include the element of transmitting an identifier associated with a player of the gaming machine, which is stored on a portable data unit including a second radio microchip, between the portable data unit and the gaming machine via the radio link, and, responsive to the transmitting, accessing from the central host computer information selected from the group consisting of player preferences for establishing a player’s preferred gaming machine configuration, game play data, casino preferences, and gaming machine data. Put simply, according to one aspect, the wireless portable data unit (“PDU”) stores an identifier that is associated with a player of the gaming machine. That identifier is transmitted wirelessly between the PDU and the gaming machine and, responsive thereto, certain information is accessed from the central host computer, the information being selected from the group consisting of player preferences for establishing a player’s preferred gaming machine configuration, game play data, casino preferences, and gaming machine data.

The Office Action also references Col. 6, ll. 4-17 and Col. 16, ll. 14-32 of Sizer which relates to a card with information relating to a person. However, neither Raven nor Sizer uses identity information to access player preference information. Raven does not disclose accessing

information selected from the group consisting of player preferences for establishing a player's preferred gaming machine configuration, game play data, casino preferences, and gaming machine data from the central host computer in response to transmitting a player-associated identifier between the PDU and the gaming machine. The Office Action cites Col. 1, l. 38- Col. 2, l. 3, Col. 2, ll. 22-35, Col. 3:38-44, and Col. 10, l. 37- Col. 11, l. 68 of Raven, but these citations do not support transmitting an identifier or accessing information relating to player preferences.

Col. 1, l. 38 to Col. 2, l. 3 of Raven is general background on cashless gaming, none of this section discloses a PDU storing an identifier associated with a player. Col. 2, ll. 22-35 relates to the display, multiple card reader and keypad (DMK) 12 which includes a keypad, but does not indicate storage of a personal identifier or other player information. Col. 3, ll. 38-44 relates to the use of an employee card not a player card. Further, the employee card does not include player identification or gaming preference information. The employee uses the card to enter a list of variable machine parameters termed a personality in hexadecimal. (Col. 3, ll. 38-47). This is not player identification or player game preference information. In Col. 10, l. 37- Col. 11, l. 62, the player enters a PIN number (which is not stored but rather entered via the keypad 32 by the player) and a credit amount via the keypad 32. Raven does not disclose transmitting that PIN to the gaming machine 10, nor would such an arrangement make any sense. Rather, the PIN is transmitted for verification "at a financial institution or at the casino." (Col. 10, ll. 57-58). If the correct PIN and valid amount have been entered, the main computer 16 returns an authorization amount and a code. Even if the PIN were to correspond to the claimed identifier, which it clearly does not, Raven does not disclose accessing from the central host computer information selected from the group consisting of player preferences for establishing a player's preferred gaming machine configuration, game play data, casino preferences, and gaming machine data. The Office Action cites Col. 11, ll. 63-68 as allegedly disclosing information selected from the group consisting of player preferences for establishing a player's preferred gaming machine configuration, game play data, casino preferences, and gaming machine data, however, this section states:

From the above discussion it is apparent that the invention provides a gaming machine system with multiple features, not only providing the casino operator

with extensive information for casino management, but also allowing the player and employee to interact with the system.

Applicants respectfully submit that the above citation does not disclose information selected from the group consisting of player preferences for establishing a player's preferred gaming machine configuration, game play data, casino preferences, and gaming machine data. Claims 27 and 80 require the host computer being responsive to the transmitting of the player-associated identifier by accessing from the central host computer information selected from the group consisting of player preferences for establishing a player's preferred gaming machine configuration, game play data, casino preferences, and gaming machine data. For at least the foregoing reasons, claims 27 and 80 and their dependent claims are believed to be patentable over Raven in view of Sizer.

Regarding the dependent claims, they are believed to be allowable for at least the reason that the respective independent claim from which they depend is allowable. Applicants repeat the additional arguments made respecting certain dependent claims by reference to their prior replies, and submit that they are allowable for at least those additional reasons.

CONCLUSION

If any matters can be clarified by an interview, the Examiner is urged to contact the undersigned at the telephone number provided below. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

It is believed that no additional fees are presently due; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 47079-00107USD1.

Respectfully submitted,

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